



City Council Agenda

Council President
Henry Perea

Councilmembers

Tom Boyajian
Brian Calhoun
Brad Castillo

Jerry Duncan
Sal Quintero
Daniel Ronquillo, Acting President

City Manager
Daniel G. Hobbs

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, JUNE 26, 2001

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:45 A.M. **JOINT MEETING WITH THE CITY COUNCIL**

AGENCY ROLL CALL

AGENCY CONSENT CALENDAR

- A. Authorize City Manager and Agency executive director, or their designees, to negotiate, prepare, and execute any and all documents, subject to City Attorney approval, necessary or desirable to fully implement Federal Courthouse conveyance agreement, including (without limitation) documents concerning intent to process further street vacations and Federal Courthouse conveyance agreement amendments (*Council and Agency action*) - City Attorney's Office
Action Taken:

ADJOURN

**** ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

COUNCIL ACTION ON UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

9:00 A.M. COUNCIL ROLL CALL

Invocation by Councilmember Quintero, song by Terry McCoy

Pledge of Allegiance to the Flag

Proclamation of "CALIFORNIA STATE UNIVERSITY SUMMER ARTS MONTH" -

Proclamation of "RUMBLE TO THE SUMMIT DAY" - Council President Perea

Proclamation of "GEORGE KELEDJIAN DAY" - Mayor and all Councilmembers

Resolution - Of support of the development of a Fresno Veterans Home - Councilmember Quintero

Approve minutes of June 19, 2001

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

9:45 A.M. Appearance by Orville L. Caldwell to discuss possible water shortage in the near future

Action Taken:

9:50 A.M. Appearance by Roger Hanke to thank Council for improvements on Belmont Avenue

Action Taken:

10:00 A.M. HEARING to consider the proposed annual assessments for Landscaping and Lighting Maintenance District No.1

Action Taken:

- a. RESOLUTION** - Approve the Engineer's Report and Levying Annual Assessments for Landscaping and Lighting Maintenance District No. 1 - Public Works/Engineering

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:10 A.M. Approve resolution to support Assembly Bill 1008 also known as the Grants For Ramps Bill, which establishes a small pilot program to provide grants for low-income tenants with mobility disabilities who need ramps and other exterior accessibility modifications they are unable to afford - Councilmember Castillo

Action Taken:

- a. **RESOLUTION** - Support Assembly Bill 1008 (Lowenthal) - grants for ramps

Action Taken:

10:15 A.M. **HEARING** to consider Plan Amendment Application No. A-01-05, Rezone Appl. No. R-01-08, and related environmental assessment, filed by James Logan and Associates on behalf of Derrell's Mini Storage, Inc., for property located on the south side of East Nees Avenue between North Cedar and North Millbrook Avenues (*Property located in District 6*) - Development Dept.

Action Taken:

1. Consider and adopt Environmental Assessment No. A-01-05, R-01-08, C-01-36 dated May 10, 2001

Action Taken:

2. **RESOLUTION** - Amending the Woodward Park Community Plan

Action Taken:

3. **BILL** - Amending the Official Zone Map to rezone property from the AE-5/UGM to the S-L/UGM zone districts

Action Taken:

10:30 A.M. **HEARING** to consider Plan Amendment Application. No. A-01-09, Rezone Appl. No. R-01-10, and Mitigated Negative Declaration for Environmental Assessment, filed by Centex Homes, for 1.4 acres of property located at the northeast corner of North Chestnut/Sommerville and East Pryor Avenues (*Property in District 6*)- Development Dept.

Action Taken:

1. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. A-01-09, R-01-10, dated May 11, 2001

Action Taken:

2. **RESOLUTION** - Amending the Woodward Park Community Plan

Action Taken:

3. **BILL** - Amending the Official Zone Map to rezone property from the AE-20/UGM to the R-1/UGM zone district

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:45 A.M. HEARING to consider Plan Amendment Application No. A-01-17, Rezone Appl. No. R-01-19, and related environmental findings, filed by Granville Homes, for 18.7 acres, located on the northeast corner of North Chestnut and East Nees Avenues (*Property in District 6*) - Development Dept.

Action Taken:

1. **RESOLUTION** - Amending condition of previous Plan Amendment Application No. A-92-17 to perfect previously approved neighborhood commercial and medium high density residential land uses within the Woodward Park Community Plan

Action Taken:

2. **BILL** - Amending condition of previous Rezoning Application No. R-92-45 to permit R-2/UGM and C-1/UGM zoning prior to the adoption of the General Plan Update

Action Taken:

11:00 A.M.#1 HEARING to consider First Amendment to Development Agreement between Zacky Farms and the City of Fresno related to the modifications to the original terms to allow for the transfer of the Belgravia site to Foster Farms, Inc. - Development Dept.

Action Taken:

1. **BILL (For introduction)** - Approve amendment No. 1 to a development agreement between the City of Fresno and Zacky Farms, Inc., and others, relating to a proposed transfer of the Belgravia chicken plant and facilities to Foster Farms

Action Taken:

11:00 A.M.#2 TEFRA HEARING pursuant to the Tax Equity and Fiscal Responsibility Act (TEFRA) of 1982, regarding the proposed issuance of tax-exempt securities on behalf of the Community Hospitals of Central California Obligate Group- Dept. of Admin. Services/Finance Division

Action Taken:

1. **RESOLUTION** - Approve a certificate of participation financing for the Community Hospitals of Central California Obligated Group to fund a capital expansion program

Action Taken:

11:15 A.M. HEARING to consider an appeal of the Development Department's approval of Conditional Use Permit Application No. C-01-023, filed by Granum Partners to authorize the construction of a three story office building located at 8 East River Park Place East - Councilmember Duncan

Action Taken:

1. **RESOLUTION** - Approve Conditional Use Permit No. C-01-023 for a three-story office building

Action Taken:

11:30 A.M. Accept report and correspondence from the State General Services Administration regarding the Fifth District Court of Appeal site location at Eaton Plaza and discuss and give direction to staff regarding negotiations - Councilmember Jerry Duncan

Action Taken:

2:00 P.M. #1 **CONTESTED CONSENT CALENDAR**

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

2:00 P.M. #2 **CLOSED SESSION**

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -

Government Code Section 54956.9, Subdivision (b)(1)

Significant Exposure to Litigation:

1. Joe A. Maslach
2. Laura Ferris

Action Taken:

B. CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6

City Negotiator(s): Jorge Aguiniga, Andrew T. Souza and Severo Esquivel

Employee Organization(s):

1. City of Fresno Management Employees Association (CFMEA)
2. International Brotherhood of Electrical Workers, Local 100 (IBEW)
3. International Union of Operating Engineers, Stationary Engineers, Local 39 (Local 39)
4. Fresno Police Officers Association - Police Management (FPOA)

Action Taken:

C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** City of Fresno v. Civic Center Square, Inc., et al.

Action Taken:

3:00 P.M. Public testimony regarding proposed location of 5th District Court of Appeal on Eaton Plaza and other alternative sites. Staff direction related to testimony - Acting President Ronquillo

Action Taken:

3:30 P.M. Consideration of following applications for granting of hardship exception to Interim Control Ordinance No. 2001-36 placing a temporary moratorium on approval land entitlements for automobile dealerships - Development Dept.

- a. K. Ranu and S. Dhanjan, SSD Auto Connection, 2627 North Blackstone Avenue;
- b. Naser Salem, 2320 North Blackstone Avenue;
- c. Mercedes Benz of North America, 7077 North Palm Avenue;
- d. Jerry Dansby, Rightway Sales, 3524 West Gettysburg Avenue;
- e. Ignacio Garibay and Leticia Garibay, El Buki Auto Sales, 1636 and 1640 South Orange Avenue;
- f. Anita Reynolds, 3752 East Belmont Avenue;
- g. Afarin Karimkhanzand, 7330 North Blackstone Avenue #101

Action Taken:

1A. **GENERAL CONSENT CALENDAR**

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

1. Approve City/County Agreement for joint paving project at Palm South of Shaw and Fowler between State Route 180 and Heaton - Public Works/Engineering
Action Taken:
2. Approve acquisition of land for expansion of Pump Station 101, East Clinton Avenue - Public Works/Engineering
Action Taken:
3. **RESOLUTION** - of intention to annex Tract No. 4646 and 5018 to the City of Fresno Community Facilities District No. 2, Annexation No. 28 - Public Works/Engineering
Action Taken:
4. Approve a professional architectural services agreement with Johnson Architecture for the design of plans and construction documents for the renovation of the Santa Fe Depot - Public Works/Engineering
Action Taken:
5. Approve extension of temporary use permit issued to Nova Electric, Inc., for use of premises at Fresno Yosemite International Airport - Airports Department
Action Taken:
6. Approve lease and agreement between the City and Skywest Airlines, Inc., for Bay 4 of the Air Cargo building at Fresno Yosemite International Airport - Airports Department
Action Taken:
7. Approve amendment No. 1 to lease and concession agreement dated April 1, 1995, between the City of Fresno and Nicholas J. Palomares (Airport Barbershop) - Airports Department
Action Taken:
8. Approve extension of temporary use permit issued by the City of Fresno to Gary M. Warner to occupy and use two locations at Fresno Yosemite International Airport/Fresno Air Terminal for phone card dispensing units - Airports Department
Action Taken:
9. * **RESOLUTION** - 151st amendment to AAR No. 2000-183 appropriating the remaining available "COPS MORE 95/95" grant balance of \$312,900 (***Requires 5 affirmative votes***) - Police Dept.
Action Taken:
10. * **RESOLUTION** - 158th amendment to AAR No. 2000-183 transferring \$400,000 from contingency to expenditure accounts to pay for Police Department contract service overtime (***Requires 5 affirmative votes***)- Police Dept.
Action Taken:

1A. **GENERAL CONSENT CALENDAR CONTINUED**

11. Approve a professional architectural services agreement with Dale Rutherford, AIA, for FAR Part 150 Noise Compatibility Program homes for Fresno Yosemite International Airport under Federal Aviation Administration AIP Grant No. 3-06-0087-27, SMART Program Phase 6 bid group 10 - Public Works/Airports Department
Action Taken:
12. Approve a professional acoustical engineering services agreement with Wyle Laboratories, Inc., for FAR Part 150 Noise Compatibility Program homes for the Fresno Yosemite International Airport under Federal Aviation Administration AIP Grant No. 3-06-0087-27 Phase 6 Bid Group 10
Action Taken:
13. * **RESOLUTION** - Adopt an investment policy for public funds for FY 2001-2002 (*Requires 5 affirmative votes*) - Dept. of Admin. Services/Finance
Action Taken:
14. **RESOLUTION** - Approve Final Map of Tract No. 4995, and accepting dedicated public uses therein, a 34-lot single-family residential subdivision on approximately 9.8 acres of property located on the west side of North Armstrong Avenue and north of East Kings Canyon Avenue - Development Dept.
Action Taken:
15. **RESOLUTION** - Renewing an agreement between the City of Fresno and the State of California Commission on Peace Officer Standards and Training (P.O.S.T.) for the presentation of basic motorcycle training by the Fresno Police Department on behalf of P.O.S.T.- Police Dept.
Action Taken:

1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

2. **PLANNING AND ZONING ADMINISTRATION**

- A. Discussion and direction on the Inner City Fee Reduction program boundaries - Development Dept.
Action Taken:

3. **GENERAL ADMINISTRATION**

- A. Approve contract with Ancillary Services Coalition (ASC) for the Water and Wastewater Divisions participation in a load curtailment program - Public Utilities
Action Taken:
- B. Approve selection of proposal and authorization for staff to negotiate and enter into airport travel agency lease and concession agreement under request for proposals process; or rejection of all proposals - Airports Department
Action Taken:

3. **GENERAL ADMINISTRATION CONTINUED**

- C. **RESOLUTION** - Approve the City of Fresno proposal to the San Joaquin River Conservancy to request \$578,430 from the Wildlife Conservation Board to fund the construction of the Riverside and Ellis/Thomason sections and associated improvements of the San Joaquin River Parkway - Lewis S. Eaton Trail - Parks Dept.

Action Taken:

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Direct City Attorney to provide report on options available to City for dealing with problems associated with cars/vehicles displayed "For Sale" on vacant lots and public streets - Councilmember Duncan

Action Taken:

- B. Approve merit increase for City Attorney - Council President Perea

Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

- July 3 - NO MEETING - COUNCIL VACATION**
- July 10 - NO MEETING - COUNCIL VACATION**
- July 17 - 10:00 A.M. HEARING** re: Plan Amendment No. A-01-01, Rezone Appl. No. R-01-02, filed by Westcal, Inc.
- July 17 - 10:15 A.M. HEARING** re: R-01-001, filed by Davesher Homes from R-1-A H to R-1, northside of San Jose between, Palm and Maroa
- July 17 - 10:30 A.M. HEARING** re: Tract Map No. 4723, Rezone Appl. No. R-00-19, filed by Bob and Karen McCaffrey
- July 17 - 11:00 A.M.** Consideration and adoption of Blue Ribbon Committee report and recommendations re: competitive bidding requirements
- July 17 - 4:00 P.M.** Discussion of opportunity to rename “M” Street to Independence Avenue - Councilmember Calhoun
- July 17 - 5:30 P.M. HEARING** re: Conditional Use Permit No. C-00-232, filed by Consolidated Industries, Inc., property located at 9460 N. Sommerville Drive
- July 17- 5:30 P.M. HEARING** to consider proposed Council District redetermination report and introduction of ordinance to adopt the boundaries identified in the Council District Determination Report - Development Dept.
- July 24 - 10:00 A.M.** Report on special southeast UGM district and setting aside fees for five stations from 3 developments - Councilmember Quintero
- July 24 - 3:00 P.M. HEARING** re: on proposed increase in Transit fees
- July 31 - 10:00 A.M. HEARING** re: CFD No. 2, Annexation No. 28
- Aug 7 - NO MEETING - COUNCIL VACATION**
- Aug. 14 - NO MEETING - COUNCIL VACATION**
- Sept. 4 - NO MEETING - COUNCIL VACATION**
- Sept 11 - NO MEETING - COUNCIL VACATION**